IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

WP(C).No. 29886 of 2006(G)

PETITIONER:

P.V.VIJAYAKUMAR, PUTHENVILA VEEDU,
EDAVATTOM, CHANTHANATHOPPU P.O., KOLLAM.

BY ADV. SRI.P.DEEPAK

RESPONDENTS:

---

1. REGIONAL TRANSPORT AUTHORITY,
KOLLAM.

2. SECRETARY, R.T.A., KOLLAM.

3. B.GEETHA, SRUTHI, THURUTHIKKARA P.O.,
KUNNATHOOR, KOLLAM.

BY ADV.SHRI.BASANT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 29886/2006

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF TIME SCHEDULE OF THE PETITIONER'S SERVICE DATED 21/3/2000.

P2 : COPY OF THE PROCEEDINGS OF THE 2ND RESPONDENT DATED 03/08/2005.

P3 : COPY OF ORDER DATED 08/11/2005 IN MVARP NO. 324/2005.

P4 : COPY OF THE PROCEEDINGS OF THE 2ND RESPONDENT DATED 17/01/2006.

P5 : COPY OF ORDER DATED 31/5/2005 IN MVARP NO. 100/2006.

P6 : COPY OF SKETCH OF THE ROUTE WITH LIST OF SERVICES.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 29886 of 2006

Dated, this the 29th day of March, 2007

J U D G M E N T

Petitioner is challenging Ext.P5 wherein STAT has declined to interfere with the timing granted to the 3rd respondent for operation in the route, part of which is covered by the petitioner. I find no ground to interfere in the matter because objection raised is only for journey of around 11 minutes, which may cover probably 5 to 6 Kms. In the circumstance, there is no scope for interference. However, counsel for the petitioner contended that petitioner and 3rd respondent applied for exchange of timing of operation, which should have been accepted by the STAT. However, I feel Secretary, STAT should grant exchange of timing if there is no objection for other operators in the same route. Accordingly WP(C) is disposed of directing Secretary, RTA to consider the request.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg